

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MERCER MEDICAL LLC,

Plaintiff,

vs.

LD ENTERPRISES LLC,

Defendant.

No. 2:23-cv-00554-RSL

**ORDER GRANTING PLAINTIFF'S
MOTION FOR DEFAULT
JUDGMENT**

This matter comes before the Court on Plaintiff's motion for default judgment. Defendant was served, (Dkt. # 7), but has not appeared, and the Clerk has entered default (Dkt. # 10).

"When entry of judgment is sought against a party who has failed to plead or otherwise defend, a district court has an affirmative duty to look into its jurisdiction over both the subject matter and the parties." *In re Tuli*, 172 F.3d 707, 712 (9th Cir. 1999). Plaintiff presents evidence that the parties are diverse, the amount in controversy exceeds \$75,000, and the exercise of personal jurisdiction over defendant is proper.

"At the default judgment stage, the court presumes all well-pleaded factual allegations related to liability are true." *Curtis v. Illumination Arts, Inc.*, 33 F. Supp. 3d 1200, 1211 (W.D. Wash. 2014); *see TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917–18 (9th Cir. 1987). However, factual allegations relating to damages are not taken as true. *Curtis*, 33 F. Supp. 3d at 1211. A "plaintiff is required to prove all damages sought in the complaint, and the court must

1 ensure that the amount of damages is reasonable and demonstrated by the evidence.” *Id.* Plaintiff
2 presents evidence supporting damages of \$307,812.50.

3 Accordingly, it is hereby ORDERED that:

- 4 (1) Plaintiff’s Motion for Default Judgment is GRANTED;
- 5 (2) Plaintiff is awarded \$307,812.50 in damages and prejudgment interest from
6 November 27, 2022, at the rate of 12% per annum, or \$101.19 per diem;
- 7 (3) Plaintiff is awarded \$482.00 in costs incurred in the proceeding;
- 8 (4) Post-judgment interest will accrue in accordance with 28 U.S.C. § 1961.

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10 Dated this 5th day of July, 2023.

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13 ROBERT S. LASNIK
14 UNITED STATES DISTRICT JUDGE
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